

**9517. Misbranding of Donaldson's Wonderful New Life remedy. U. S. \* \* \* v. 125 Bottles, et al., of Donaldson's Wonderful New Life. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 14300, 14302, 14712, 14713, 14714, 14715, 14716, 14717. Inv. Nos. 32852, 32755, 32756, 32757, 32758, 32759, 32760, 32761. S. Nos. E-3199, E-3197.)**

On April 1 and 11, 1921, respectively, the United States attorney for the District of Columbia, acting upon reports by the Secretary of Agriculture, filed in the Supreme Court of the District aforesaid, holding a district court, libels for the seizure and condemnation of approximately 178 bottles of Donaldson's Wonderful New Life remedy, remaining in the original unbroken packages in the possession of various dealers at Washington, D. C., alleging that the article was being offered for sale in the District of Columbia, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Bottles) " \* \* \* Wonderful New Life Remedy \* \* \* For All Blood Diseases Stomach and Liver Difficulties \* \* \* Dyspepsia, \* \* \* Catarrh, Liver Complaints, Rheumatism, Enlargement Of Liver, Diseases Of The Kidneys, Chronic Constipation And Nervous Debility \* \* \* " A portion of the bottles were further labeled: " \* \* \* Syphilis, Scrofula, Erysipelas \* \* \* " The remainder of the bottles were further labeled: " \* \* \* it is a genuine blood cleanser, stomach and liver regulator. It is one of the greatest kidney medicines in the world. It clears the urinal organs and strengthens the bladder, gives vitality, vigor and vim to manhood." All the cartons were labeled as follows: " \* \* \* Wonderful New Life \* \* \* A Splendid Tonic And System Purifier For \* \* \* Blood Diseases, Stomach and Liver Difficulties \* \* \* for Dyspepsia \* \* \* Scrofula, Erysipelas, Catarrh, Liver Complaints, Rheumatism, Enlargement of Liver, Disease of the Kidneys, Chronic Constipation and Nervous Debility. \* \* \* blood tonic \* \* \* Is one of the greatest kidney remedies on the face of the earth. It is indeed a New Life remedy, extracted from nature, from herbs, which contains all the life and nutrition of food that is necessary. \* \* \* also the urinary organs are kept free and clear; from berries, which relieves inward pains, takes away \* \* \* swelling and dropsical condition. \* \* \* Barks and seeds to strengthen the system, takes uric acid out of the blood, therefore relieves rheumatism, regulates the liver and commands the heart to its proper motion, quiets the nerves, clears the airial passages therefore, swimming in the head, dizziness, uneasiness, delirium conditions, in other words, if you are drowsy and lazy these seeds will spur you up; honey and glycerine, brown sugar and licorice root for the lungs and phlegmatic conditions of the system and \* \* \* takes gastric juice and superfluous of sour mass of acid oxygen from the stomach, therefore, it relieves indigestion, \* \* \* ."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that it consisted essentially of sulphates, plant extractives, including aloin, alcohol, and water.

Misbranding of the article was alleged in substance in the libels for the reason that the above-quoted statements appearing on the bottles and cartons containing the article, concerning the curative and therapeutic effects thereof, were false and fraudulent since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed, and the said statements were applied to the article so as to represent falsely and fraudulently, and to create in the minds of purchasers thereof the impression and belief, that it possessed the curative and therapeutic qualities claimed for the said article, whereas, in truth and in fact, it did not.

On June 11, 1921, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**9518. Misbranding of Robert J. Pierce's tablets. U. S. \* \* \* v. 34 Packages of \* \* \* Robert J. Pierce's Empress Brand Pennyroyal Tablets and 27 Packages of \* \* \* Robert J. Pierce's Empress Brand Tansy, Cotton Root, Pennyroyal, and Apiol Tablets. Default decrees of condemnation, forfeiture, and destruction.** (F. & D. Nos. 13306, 13509. I. S. Nos. 3049-t, 3046-t. S. Nos. C-2302, C-2320.)

On August 24 and 25, 1920, respectively, the United States attorney for the Eastern District of Tennessee, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 34 packages of Robert J. Pierce's Empress Brand pennyroyal tablets and 27 packages of Robert J. Pierce's Empress Brand tansy, cotton root, pennyroyal, and apiol tablets, remaining in the original unbroken packages at Knoxville, Tenn., alleging that the articles had been shipped by Robert J. Pierce, Inc., New York, N. Y., on March 10, 1920, and transported from the State of New York into the State of Tennessee, and charging misbranding in violation of the Food and Drugs Act, as amended. The pennyroyal tablets were labeled in part: (Box) "\* \* \* the most Powerful and Reliable Emmenagogue known The only safe, sure and always effectual remedy in suppression (stoppage) of the menstrual function;" (circular) "\* \* \* The Celebrated Female Regulator \* \* \* Active treatment should begin four or five days before the expected reappearance of the menstrual flow. \* \* \* Take one \* \* \* three times daily \* \* \* follow \* \* \* instructions \* \* \* until the desired result is obtained \* \* \* emmenagogue medicine \* \* \* they have invariably proved successful. As a Preventive of Irregularities.—Take one \* \* \* three times daily, \* \* \* They can always be depended upon as a monthly regulator." The tansy, cotton root, pennyroyal, and apiol tablets were labeled in part: (Box) "\* \* \* Tansy, Cotton Root, Pennyroyal and Apiol Tablets. A Safe Emmenagogue, Always Reliable And Effective. The Best Known Remedy For The Suppression Of The Menstrual Function;" (circular) "\* \* \* Tansy, Cotton Root, Pennyroyal and Apiol Tablets \* \* \* The Celebrated Female Regulator \* \* \* Delayed Menstruations When the suppression is of long standing, \* \* \* take \* \* \* four days before the time when the menses should appear. \* \* \* immediately preceding the expected appearance of the menstrual flow, active treatment should begin. Take one tablet three times daily, \* \* \* follow instructions \* \* \* until the desired result is obtained. \* \* \* Irregularities Where the menses are not regular \* \* \* are invaluable. \* \* \* Take \* \* \* before the expected appearance of the menstrual period."

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that the pennyroyal tablets consisted essentially of ferrous sulphate and plant extractives, including tansy and aloes; and that the tansy, cotton root, pennyroyal, and apiol tablets consisted essentially of ferrous sulphate and plant extractives, including pennyroyal and aloes.

Misbranding of the articles was alleged in substance in the libels for the reason that the above-quoted statements, regarding the curative and therapeutic effects thereof, were false, fraudulent, and misleading in that they contained no ingredient or combination of ingredients capable of producing the effects claimed, and in that the said articles were not cures for the complaints and ailments above quoted.